

APPROVED: Meeting No. 15-97

ATTEST: *Paula Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 03-97

January 13, 1997

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on January 13, 1997 at 7:34 p.m.

PRESENT

Mayor Rose G. Krasnow

Councilmember Robert E. Dorsey

Councilmember Glennon J. Harrison

Councilmember Robert J. Wright

ABSENT

Councilmember James T. Marrinan
(Due to a job commitment)

In attendance: City Manager Rick Kuckkahn, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Re: City Manager's Report

1. The Human Rights Commission and the City of Rockville will present its 25th Annual Martin Luther King, Jr. Birthday celebration on January 20th at the F. Scott Fitzgerald Theatre. The theme for this year's celebration is "Living The Dream," and Reverend Archie LeMone, Executive Director of the Home Mission Board of the Progressive National Baptist Convention, will present the Keynote address. Adult choirs from Mount Calvary, AME Zion, and Jerusalem Mount Pleasant Churches will perform, as well as youth performances by the Falls Mead Youth Choir and the Mount Calvary

Youth Instrumental Ensemble. The F. Michael Taft and Equal Opportunity Employment Awards will also be presented at the event and a reception will follow the celebration.

2. Courthouse Square Park is near completion. All of the major landscaping has been installed and residents are invited to visit this part of the City's beautiful new downtown. The fountain/sculpture will be tested once the weather warms up. Mr. Kuckkahn said that the redevelopment of downtown was a tribute to the leadership of the Mayor and Council and the City's public/private partnership with Rockville Center, Inc.

3. Murray Stein, one of the City's most active members at the Rockville Senior Center, will be exhibiting his collection of woodworking creations at the Mansion Gallery this month. He is sharing the gallery with exhibits by Donna Radner and other area quilters, including Laura Kingsland, Rena Levine and Catherine Vitak. The exhibit has already received excellent reviews and was recently featured in the Washington Post.

4. This month, for the first time, the City offered a brunch in conjunction with the art gallery opening and the traditional free concert. This turned out to be an extremely popular event and was sold out. The brunch will become a regular monthly event given throughout the entire year. Interested persons are encouraged to call 309-3300 for further information.

5. The City just dedicated a new sign system which delineates the Historic District. While the project is not yet completed, the response to the new system has been outstanding. Mr. Kuckkahn thanked the Montgomery Historic Preservation Commission, the City's Historic District Commission, Master Graphics (who constructed the signs), and Montgomery County Park and Planning, for their financial support in this effort.

6. On January 11, the City co-sponsored a visioning exercise with the Mass Transit Authority concerning the Rockville Metro Station. Mr. Kuckkahn said that the event, which was emceed by Mayor Krasnow, was a great success. Approximately 120 people attended and voted their choices for various alternatives to the streetscape around the Rockville Metro Station. Participants were asked to rate building facades, parking lot and parking garage appearances, and pedestrian amenities in the area. Tony Nellison, an architect from Princeton, New Jersey facilitated the session, and is working with the Federal Transit Administration and the Maryland Transit Administration. The City will use the preferences generated from the survey when development project and design guidelines are created for the Town Center.

7. Mr. Kuckkahn reminded residents that this year's budget process began and neighborhoods interested in proposing capital improvement programs and projects are invited to do so now. CIP projects are those that involve capital construction costing more than \$5,000 and lasting in excess of 20 years. Neighborhoods with projects are asked to submit them as soon as possible or call the City Manager's Office at 309-3300 for further information.

Re: Presentation of Certificates of
Appreciation to major
contributors to the 1996
Rockville Holiday Drive.

Over \$21,700 was contributed to the 1996 Rockville Holiday Drive. The Certificates recognized organizations who were instrumental in the successful implementation of the drive, as well as those donors who contributed \$200 or more. The Mayor and Council first presented Certificates of Appreciation to the Co-

sponsors of the Holiday Drive, Tom Lawry (Manna Food Center), Maria Jamison and other representatives from the Rockville Junior Chamber of Commerce.

Mayor Krasnow noted that the largest contributor to the Holiday Drive was Computer Data Systems (CDSI). CDSI held their fifth annual golf tournament and auction and raised over \$9,000. The Mayor noted that the representative from CDSI was unable to be present this evening; however she displayed the plaque that will be given to CDSI. Certificates were then presented to the representatives who were present. All of the following major donors received Certificates of Appreciation: American Legion Post #86, Marie and Joseph Baldassano, Department of Public Works, Richard and R.R. Duffield, Robert Frost Middle School, Glenview Mansion Holiday Open House, Hard Times Cafe, IBM, Junior Woman's Club of Rockville, Maryland, Inc., Marriott Management Services, Mt. Calvary Baptist Church, C.J. O'Shaughnessy, The Penrose Group, Mr. and Mrs. Rob Roy Ratliff, Rockville Lions Club, David J. Thomas, Venable, Baetjer and Howard Foundation, Inc., Vitro Corporation, Watkins-Johnson Company, and The West*Group, Inc.

Re: Announcement of winner of
People's Choice Award for Best
Decorated Room during
Glenview Mansion 1996 Holiday
Decorating Program.

During the 1996 holiday season, the Glenview Mansion held four Holiday Open Houses, hosting a total of 1,664 persons. Ballots were available for judging for the People's Choice for the Best Decorated Room at Glenview Mansion. The winner of the Best Decorated Room was Room 4, "The Teddy Bear Room," decorated by TOPS (Take Off Pounds Sensibly). The Mayor and Council presented the award to Janet Joyce,

representing TOPS. As the recipient of this award, TOPS will receive a free evening at Glenview Mansion.

Re: Wrap-up review of the F. Scott
Fitzgerald Centennial
Celebration.

Don Boebel and John Moser, Co-Chairs of the F. Scott Fitzgerald Centennial Committee, presented a report of the past year's activities commemorating the 100th Anniversary of Fitzgerald's birth. Mr. Moser said that the Mayor and Council were extremely supportive of all the Committee's efforts. He extended a special appreciation to the City Manager and his staff, as well as Recreation and Parks Director Burt Hall, Civic Center Superintendent Lew Dronenburg, Graphics Supervisor Nancy Zombalis and Assistant to the City Manager Michelle Martin.

Mr. Boebel talked about the various activities that took place to celebrate the life and times of F. Scott Fitzgerald. Mr. Boebel said that the celebration was a success due to the efforts of many people and organizations including Peerless Rockville, Montgomery County Commission on the Humanities, St. Mary's Church and the financial and spiritual support provided by the City.

Mr. Boebel said that the City gave the Committee \$11,000 in financial support for the celebration. He and Mr. Moser then presented an \$8,000 check to the Mayor and Council as partial repayment of the money. Mr. Boebel said that the Committee had already put the ground work into place for a literary conference to take place in 1997. They were hoping for continued support from the City as well as commercial organizations, including Century Ford and Mercury Motors, who also helped out with the events.

The Mayor and Council expressed appreciation to Messrs. Moser and Boebel for planning the year-long event, and to the many others who made the year a fun and successful one.

Re: Presentation by the Economic Development Steering Committee regarding the creation of an Economic Development Corporation.

A steering committee, created as a result of the July 17, 1996 Economic Development Symposium, met five times in August, September and October, in order to provide the Mayor and Council with a recommendation regarding the establishment of an Economic Development Corporation. The Corporation will effectively separate business attraction and retention activities from the City's regulatory responsibilities.

Steering Committee Co-Chairs, Paul Love and Richard Stoner presented the Committee's recommendations. Mr. Love named the Committee members whose contributions to the committee and to the report were invaluable: Larry Cunnick (President of Biocon), Dr. Floyd Cumberbatch (Provost, Montgomery College), Barbara Craig (Owner, Presents with Presence), Alan Robert Cressy (Ferris, Baker 7 Watts), David Edgerly (Director, Montgomery County Department of Economic Development), Scott Feldman (Owner, Giuseppis Pizza Plus), Larry Goldstein (Helios/Towle), Helen Heneghan (Economic Development Council), Arnold Kohn (The Tower Companies), Alan Kutz (Maryland Department of Business and Economic Development), Blake Lanum (Woodley Gardens resident), Harriet Margolis (Midas Muffler), Craig Moloney (President, CEM Design), Alan Shulman (Vice President, COMSYS), Mark Troen

(Rockville Center, Inc.), and Brian Barkley (President, Montgomery County Chamber of Commerce).

Committee member Larry Cunnick spoke about how the technology industry will impact the future of Rockville and the economic development initiative. Brian Barkley, President of the Montgomery County Chamber of Commerce (and President of Barkley and Kennedy, Chartered), spoke of the Chamber's support of the initiative and the committee's efforts. Dr. Floyd Cumberbatch stressed the educational aspects of the economic development proposal and said that Montgomery College offered training specially tailored to meet the needs of new and existing businesses. He said that the College was prepared to work with businesses to provide the education and training they need in order to stay competitive.

Mr. Stoner explained that the Committee was faced with several challenges and he used a computer to highlight the main points of the Committee's report. He also summarized the City's strengths and weaknesses which were examined by the group.

Mr. Love spoke in detail about the vision and the mission statement developed by the Committee and the eight goals were identified for the proposed economic development Corporation. Mr. Love also described the proposed board composition, which he said would be designed to represent a broad base of the various industries that make up the City's economy. He said that the make up of the Executive Committee would include a representative from the City to ensure that the City's input was included in any decisions of the corporation. The total Board would be approximately 25 members. Also discussed by the committee were a number of potential economic initiatives. Mr. Love said that the Committee was proposing to develop a formal corporation and they

would be working with the City Attorney to develop the most appropriate form for the structure of the corporation.

Alan Kutz commented on the State's perspective on the economic development proposal. He said that Secretary Brady was impressed with the consensus built around the proposal and was amazed at how the Rockville community had come together to make the proposal. Mr. Kutz cited some of the proposals undertaken by the State--the increase in the Sunny Day Fund from \$5 to \$27 million; the issue of Smart Growth, and the redevelopment of existing neighborhoods using existing infrastructure. He said the most positive results were from communities that interacted with both the larger counties and the State government to refocus their economic development efforts.

In response to Councilmember Wright's question, Mr. Love said the steering committee was looking to create the most appropriate structure to bring the corporation up and running and hopefully hire the Executive Director who will develop the remaining framework. Mr. Love said it would probably take 120-190 days to build the infrastructure and funds would be needed for this. The steering Committee felt that this should be an ongoing commitment with the City and noted the six points in its "Achieving The Vision" list. Points 3 through 6 referred to a suggestion that there be an interim board created of members who had volunteered their time on the Steering Committee. If the Mayor and Council agreed with the Committee's recommendation regarding the Board structure, the interim group would steer the entity through the remainder of the current fiscal year with some budget appropriation to carry out the economic development priorities to be accomplished in the 12 months. With the Mayor and Council's endorsement of the plan, a permanent board will be elected that would be prepared to

begin its work on July 1st.

Mayor Krasnow said that the citizens have not had a chance to look at the plan and give feedback; however, she noted that Messrs. Love and Stoner were willing to discuss the plan with civic associations. She stressed that there were many reasons for the City to move in this direction. There was a feeling that this was a very competitive world and that a laid back approach to attracting and keeping businesses would not continue to work in the 1990s and into the next century. The Mayor and Council also felt that there needed to be greater recognition by the State and County that Rockville should be considered when businesses were looking to relocate.

Councilmember Harrison endorsed Mayor Krasnow's remarks and said that he agreed with her characterization of the way things were going and the fact that the City needed to take a new approach. He said that the work done by the Steering Committee was extremely valuable in terms of presenting the Mayor and Council with the base from which to move forward. Mr. Harrison said that he also agreed that public discussion was needed. He said that the Economic Development Corporation partnership would be a lot stronger for the citizen involvement that existed in the City, and he suggested that a series of meetings take place to get citizen input on the proposal and to continue discussion with the Mayor and Council on the development of technology infrastructure.

Councilmember Dorsey added his enthusiastic support for the work done by the Steering Committee and he encouraged the Committee, in its pursuit of idea sharing with the public, to emphasize what it is about the Rockville economic effort that distinguished it from the efforts discussed at the State and County levels.

Mayor Krasnow said as the plan was distributed to the public, it would be

important for people to read the report because there were many other aspects focused on than just those dealing with growth. The proposal also called for work force development, plans for linking employers with employees who live in Rockville, attracting businesses to the City and helping them remain in the City by having available space for expanding businesses. Councilmember Harrison added that it would also be important for residents and citizens of the City to look closely at the major focus of the proposal to sustain and improve the quality of life in Rockville. He commented that one of the ways to accomplish this was by growing smarter rather than just growing.

Staff was directed to publicize the availability of the report and mail copies to the civic associations, and to also determine whether a worksession or public information forum was needed.

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Randy Slovic, Sierra Club said that she was interested in serving on the Economic Development Corporation and she said that the Sierra Club was very much in favor of smart growth. Ms. Slovic then asked about the status of two storm water projects; the planting of vegetation around the perimeter of the pond at Tower Oaks and the 1994 Damascus Farm project undertaken to compensate for the Wootton Parkway wetland loss. Mr. Kuckkahn suggested that Ms. Slovic may have been out of town when the tremendously successful Damascus Farm project was completed and celebrated. However, he said that he would provide her with a progress report on the project as well as a report on the current status of the Tower Oaks project. Mayor Krasnow asked staff

to develop a list of criteria that storm water management ponds had to achieve in order to meet stated goals.

2. Ardell Hilliard, Rockville Housing Authority (RHA) speaking as the Chair of RHA Board, asked for clarification of the Mayor and Council's reappointment process. She gave the Mayor and Council a written statement that highlighted areas of the process that she said were not clear and she asked that a response be provided to her or the next incoming RHA Chairman.

In response to a question from Councilmember Harrison, Ms. Hilliard said that the RHA Board did not vote on her statement. However, she said that the document had the force of a Housing Authority document, because as Chair of the Board, she received applications from potential candidates and discussed them with her Board. Mayor Krasnow explained that the issue pertained to recent appointments the Mayor and Council made to the Board and the Housing Authority's questions as to why certain appointments were made. She said that the Mayor and Council acted within its full authority to make the appointments.

Mr. Harrison pointed out that one of the RHA Board members informed him that there was no consensus by the Board on the issues listed in Ms. Hilliard's memo. Mayor Krasnow said that she would respond to Ms. Hilliard's memo; however, she wanted it to be clear that the Mayor and Council's intent was to put together a housing authority board that would keep the lines of communication open.

3. Carl Henn, resident and representative of "Stop That Infernal Road" (STIR) explained that STIR was a newly formed group with headquarters in Rockville. He submitted a copy of the County's proposal to build a Montrose Parkway. Mr. Henn said

that while the parkway was not being built within the City's limits, it would have a significant impact on Rockville citizens because the costs would be shared by all County residents and the parkway will increase traffic on Rockville Pike. The City Manager was asked to update the Mayor and Council on the status of the Montrose Parkway proposal and to refer the issue to the City's Traffic and Transportation Commission for their review.

Re: Reappointment

Upon motion of Councilmember Wright, duly seconded and unanimously passed, Catherine Irwin was reappointed to serve as Chair of the Cultural Arts Commission.

Re: Approval of Minutes

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, the Minutes of Meeting No. 39-96 (October 28, 1996) were tabled to the January 27, 1997 General Session.

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, the Minutes of Meeting No. 40-96 (November 12, 1996) were approved as written.

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the Minutes of Meeting No. 41-96 (November 18, 1996) were approved as amended. Councilmember Dorsey noted that a significant number of speakers had testified at the November 18 hearing on the Watts Branch Sewer alternatives. He suggested that the standard format for the 11/18/96 Minutes and all future Public Hearing

Minutes, include the number of speakers who present testimony. The Mayor and Council agreed that this was a good idea.

Re: Adoption of Ordinance to amend Chapter 5 "Buildings and Building Regulations," Article XII, "Property Maintenance Code," so as to amend the requirements for snow and ice removal from sidewalks and other public areas.

Ordinance No. 1-97

Community Development Director Neal Herst said that staff responded to the Mayor and Council's questions raised in December when the Ordinance was discussed. Staff's memo addressed the issues pertaining to (a) a minimum width of cleared sidewalk in residential zones, (b) a standard for the clearing time for a small snowfall of 3 inches or less and a longer standard for more severe snowfalls, and (c) alternative paths in cases where snow clogged sidewalks adjacent to the road. Mr. Herst said that the Traffic and Transportation as well as others had raised questions about the issue of alternative paths, and upon further consideration of the issue, staff recommended that an alternative path methodology not be invoked in the Ordinance. He said that allowing property owners 48 hours to clear snow would allow time for the snowplows to do their work before property owners had to clear the sidewalk. Mr. Herst emphasized that in severe snow events, no ordinance would be able to operate in the way it was intended; however, the City Manager would continue to have the ability to make judgements about the enforcement of the ordinance.

Councilmember Harrison said that he was uneasy about waiting 48 hours after the end of a snow event to clear a 3.1 inch snowfall. Mayor Krasnow said that she was comfortable with the provision and she noted that staff could closely monitor how the new law was working and, if necessary, bring it back for the Mayor and Council's review if necessary.

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the amendments to the Ordinance were approved. Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, with objections noted by Councilmember Harrison, the Ordinance was adopted. A copy of the full text of the Ordinance may be found in Ordinance Book No. 19 of the Mayor and Council.

Re: Adoption of Ordinance to Amend
Ordinance No. 9-96
Appropriating Funds and
Levying Taxes for Fiscal Year
1997.

Each fall, the appropriations ordinance is amended to provide funding for encumbrances which were outstanding at the end of the previous fiscal year. Also included in this year's proposal is: \$4,623 representing funding provided from the Rockville Baseball Association for a new baseball program; \$13,000 for the Community Activities Fund, to be raised for the Martin Luther King Day Celebration and for sponsorship of the arts; \$17,000 for capital projects involving town center redevelopment; and \$60,000 for an emergency capital project in the Redgate Golf Course Fund.

Ordinance No. 2-97

Mr. Kuckkahn said that the Ordinance was tabled in December in order to correct some errors in the fund amounts appropriated. Mr. Kuckkahn said that the amendments to the Ordinance were now incorporated. He also introduced Dave Rowland, the City's Comptroller who is serving as the Acting Director of the Finance Department. Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the amendments were approved. Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the Ordinance was adopted. A copy of the full text of the Ordinance may be found in Ordinance Book No. 19 of the Mayor and Council.

Re: Correspondence

There being no matters to discuss under "Correspondence," Mayor Krasnow declared this portion of the meeting closed.

Re: New Business

1. Councilmember Harrison noted the issue of signage in Rockville and said that a pawn shop recently opened across the street from the Rockville Metro Station. The pawn shop, in addition to its normal signage, decorated its windows with neon signs which were excessive and greater than the permitted signage size. Mr. Harrison said that the current Ordinance permitted 20 percent of a commercial window to be covered by lighted neon signs or other signage and he suggested that the Mayor and Council take an overall look at the sign ordinance. He also noted other areas of the sign ordinance which could be addressed, i.e., a consistent road level sign system that would make it easier to locate numbered addresses and stores along Rockville Pike. Mayor Krasnow said that there were

other issues regarding signs, e.g., walking signs, a lack of flexibility for store owners to use in terms of banners announcing grand openings or sales, etc. Mr. Kuckkahn asked that staff provide some input on how to undertake a comprehensive review of the sign ordinance as well as take a look at the issue of neon signs. Councilmember Harrison suggested that staff take a look at how other communities deal with sign issues.

2. Mayor Krasnow said that there were nine Blandford Apartment families scheduled for eviction on January 16 for non payment of their December rent. She said that the Mayor and Council wanted to offer assistance to the families in finding alternate living arrangements, and she suggested that the Rockville Emergency Assistance Program could provide the month's rent and thereby forestall the evictions. The amount needed was less than \$5,000 and according to Community Services Director Terry Treschuk, the money was available. Mayor Krasnow noted that the County had put up considerable funds to help relocate some of the Blandford families. Mr. Kuckkahn confirmed that each family's case would be carefully reviewed to determine that there was a real need for the assistance and that the withholding of rents was not done as a protest. Without objection, the Mayor and Council authorized the use of REAP funds for the nine families which met the need and were not part of a protest.

3. Mayor Krasnow remarked that the Montgomery County Road Runner's were again seeking the City's approval of the Pike's Peak Road Race and to also serve as a sponsor of the event. The Mayor pointed out the pros and cons of the race that were outlined in a memo from staff. The Mayor and Council expressed approval for the race to again be held in Rockville and said that the City will issue a permit for the race to take place. However, regarding the question of whether the City should serve as a sponsor of

the race, the Mayor and Council felt that sponsorship meant approving the permit and providing equipment and a banner with the City's name to be used at the finish line. However, it did not mean that the City would provide police services and pay the overtime associated with police service.

Mr. Sissala said that the Road Runners were interested in a partnership with the City where the City would receive proper recognition in the printed materials and the race itself. In return, the organizers would like the City to provide costs for the police. However, he said that if the City was reluctant to be a partner, the Club would prefer to pay the full costs for police service and not even consider other ways to make the race part of City events.

Councilmember Harrison said that the City conducted a number of events with the Road Runners which involved the City's full support. He said that he was concerned about the significant budget impact on the City's Police Department for the Pike's Peak Race, which was not actually a Rockville race.

The Mayor and Council agreed that additional information was needed in order to deal with the issues. The Mayor and Council also agreed that a decision on whether to be a partner in the race could be made at the January 27 General Session. Staff was asked to provide the following:

- Thorough discussion from the Police Chief and Recreation and Parks Director about other pros and cons on whether to be a partner/sponsor.
- The post race report from the 1996 event.
- An explanation of why the organizers of the race do not favor Rockville's name as part of the race.

- A description of the City's role in the former Fritzbe's race since the Pike's Peak race was developed as a replacement for that event.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 10:15 p.m., to reconvene again in Public Hearing at 7:30 p.m. on January 21, 1997, or at the call of the Mayor.